

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

vs.

2008 VOLVO, WASHINGTON
LICENSE PLATE AFB8169, VIN:
YV1RS592X82701206,

2006 BMW 750, WASHINGTON
LICENSE PLATE 655VRW, VIN:
WBAHN835X6DT62992,

2001 TOYOTA TRUCK, WASHINGTON
LICENSE PLATE B30858P, VIN:
5TBRT38171S178444,

Defendants.

4:14-CV-5001-LRS

Final Order of Forfeiture

Plaintiff, United States of America, alleged in a Verified Complaint for Forfeiture In Rem that the defendant property is subject to forfeiture to the United States pursuant to 21 U.S.C. § 881. ECF No. 1.

The Court has jurisdiction over this matter by virtue of 28 U.S.C. §§ 1345 and 1355. Venue is proper pursuant to 28 U.S.C. § 1395.

The defendant property being forfeited is described as follows:

a. A 2008 Volvo, Washington License Plate AFB8169, VIN: YV1RS592X82701206, seized by FBI, pursuant to a seizure warrant, on or about August 12, 2011, from Rosa Morfin Ursua, in Kennewick, Washington.

b. A 2006 BMW 750, Washington License Plate 655VRW, VIN: WBAHN835X6DT62992, seized by FBI, pursuant to a seizure warrant, on or about August 12, 2011, from Yoana R. Sandoval, in Kennewick, Washington.

c. A 2001 Toyota Truck, Washington License Plate B30858P, VIN: 5TBRT38171S178444, seized by FBI, pursuant to a seizure warrant, on or about August 12, 2011, from Rosa Morfin Ursua, in Kennewick, Washington.

1 1. On January 7, 2014, a Verified Complaint for Forfeiture In Rem was
2 filed with the U.S. District Court for the Eastern District of Washington. ECF No. 1.

3 2. On February 24, 2014, the United States Marshals Service executed the
4 Warrant of Arrest In Rem. The returned warrant was filed with the Court under the
5 above cause number on March 21, 2014. ECF No. 5.

6 3. In accordance with Fed. R. Civ. P. Rule G(4)(a)(iv)(C), Supplemental
7 Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, notice of civil
8 forfeiture was posted on an official government website, www.forfeiture.gov,
9 beginning January 10, 2014. ECF No. 10, 10-1 and 10-2. Based upon the internet
10 publication start date of January 10, 2014, the last date to file a timely claim if direct
11 notice was not received was March 11, 2014.

12 4. On or about March 25, 2014, Rosa A. Morfin Ursua was served, at her
13 last known address, via certified mail, return receipt requested, and with a copy of the
14 Verified Complaint for Forfeiture In Rem, Warrant of Arrest In Rem, and Notice of
15 Complaint for Forfeiture, at her last known address. ECF No. 6 and 6-1. United
16 States Postal Service records reflect that the mailing was delivered on March 31,
17 2014. Based upon the direct notice service date of March 25, 2014, Rosa A. Morfin
18 Ursua's deadline to file a timely claim was April 29, 2014. To date, no claim of
19 interest has been received or filed with the Court from Rosa A. Morfin Ursua. On or
20 about May 16, 2014, the United States filed and served its Motion for Default. ECF
21 Nos. 11, 11-1, and 11-2. On May 19, 2014, the Clerk entered a default order as to
22 Rosa A. Morfin Ursua. ECF No. 13.

23 5. On or about March 25, 2014, Yoana F. Sandoval was served, at her last
24 known address, via certified mail, return receipt requested, and with a copy of the
25 Verified Complaint for Forfeiture In Rem, Warrant of Arrest In Rem, and Notice of
26 Complaint for Forfeiture, at her last known address. ECF No. 7 and 7-1. On or about
27 May 6, 2014, the United States received this mailing marked "Return to Sender",
28 "Unclaimed", and "Unable to Forward". U.S. Marshal Service, Senior Inspector,

1 Jerome Brown, researched and confirmed that records show the Tice Road address
2 where service was sent as the most current address for Ms. Sandoval. Based upon the
3 direct notice service date of March 25, 2014, Yoana F. Sandoval's deadline to file a
4 timely claim was April 29, 2014. To date, no claim of interest has been received or
5 filed with the Court from Yoana F. Sandoval. On or about May 16, 2014, the United
6 States filed and served its Motion for Default. ECF Nos. 12, 12-1, and 12-2. On May
7 19, 2014, the Clerk entered a default order as to Yoana F. Sandoval. ECF No. 14.

8 6. On or about April 2, 2012, the United States and Defendant, Manuel
9 Salvador Diaz Solis, entered into a plea agreement in the related criminal case, United
10 States v. Manuel Salvador Diaz Solis, Eastern District of Washington case number
11 2:11-CR-6054-EFS-1, in which Solis stipulated to a finding by the Court that he was
12 the owner of the Defendant vehicles and that the vehicles were acquired by him
13 through the sale of controlled substances. ECF No. 182 at 1. Defendant Solis also
14 agreed to voluntarily forfeit all right, title and interest in the vehicles to the United
15 States. ECF No. 182 at 14 -15.

16 It appearing to the Court that any and all potential claimants' interests in the
17 defendant property has been resolved through the entry of the Clerk's Orders of
18 Default as to Rosa A. Morfin Ursua, and Yoana F. Sandoval; and, Defendant, Manuel
19 Salvador Diaz Solis's plea agreement;

20 It also appearing to the Court that no other timely claims have been made to the
21 Defendant property;

22 IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the
23 government's Motion for Entry of the Final Order of Forfeiture, ECF No. 15, is
24 GRANTE, and the defendant property is hereby forfeited to the United States of
25 America, and no right, title, or interest shall exist in any other person.

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1 IT IS FURTHER ORDERED that the United States shall dispose of the
2 forfeited defendant property in accordance with law.

3 DATED this 18th day of June, 2014.

4 *s/Lonny R. Suko*

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6 Lonny R. Suko
7 Senior United States District Judge

8 Presented by:

9 Michael C. Ormsby
10 United States Attorney

11 s/James A. Goeke

12 James A. Goeke
13 Assistant United States Attorney